

DOCKET NO.: 221414US2PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Robert ASAM

SERIAL NUMBER: 10/089,088

FILED: April 11, 2002

FOR: POSITIONING SYSTEM FOR RACING CARS

SUBMISSION OF MISSING REQUIREMENTS UNDER 37 CFR 1.495

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In accordance with the provisions of 37 CFR 1.495 Applicants submit herewith a Rule 63 Declaration, as well as a Preliminary Amendment.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application has now met all the requirements under 35 U.S.C. 371 for entering the national stage. An early receipt of the Notification of Acceptance is hereby earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



22850

A handwritten signature in dark ink, appearing to read 'Spivak' with a stylized flourish.

Marvin J. Spivak

Registration No. 24,913

Surinder Sachar

Registration No. 34,423

WILLIAM E. BEAUMONT
REGISTRATION NUMBER 30,996

(703) 413-3000

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REQUEST FOR REFUND

ASSISTANT COMMISSIONER FOR PATENTS & TRADEMARKS
WASHINGTON, D.C. 20231

SIR:

Applicant requests a refund of the \$130.00 surcharge for furnishing the executed Declaration later than 30 months from the earliest claimed priority date which was paid on April 11, 2002 with the filing of the original application. Since the executed Declaration is being filed simultaneously herewith and the 30 month date from the earliest claimed priority date will not expire until April 29, 2002 this request is believed to be justified.

Please credit the refund to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Surinder Sachar
Attorney of Record
Registration No. 34,423



22850

(703) 413-3000

WILLIAM E. BEAUMONT
REGISTRATION NUMBER 30,996

Rec'd PCT/PTO 29 APR 2002

FORM PTO-1390 (Modified) (REV 11-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		PATENTER'S BOX NUMBER	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				221414US2PCT	
				U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 10/089,088)	
INTERNATIONAL APPLICATION NO. PCT/EP00/10518		INTERNATIONAL FILING DATE 25 October 2000		PRIORITY DATE CLAIMED 29 October 1999 (earliest)	
TITLE OF INVENTION POSITIONING SYSTEM FOR RACING CARS					
APPLICANT(S) FOR DO/EO/US Robert ASAM					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<div><div><div>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</div><div>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</div><div>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</div><div>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</div><div>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2))<div><div><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</div><div><input type="checkbox"/> has been communicated by the International Bureau.</div><div><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</div></div></div><div>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<div><div><input type="checkbox"/> is attached hereto.</div><div><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</div></div></div><div>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))<div><div><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</div><div><input type="checkbox"/> have been communicated by the International Bureau.</div><div><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</div><div><input type="checkbox"/> have not been made and will not be made.</div></div></div><div>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</div><div>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</div><div>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</div><div>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</div><div>12. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</div></div><div>Items 13 to 20 below concern document(s) or information included:</div><div><div>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</div><div>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</div><div>15. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</div><div>16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</div><div>17. <input type="checkbox"/> A substitute specification.</div><div>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</div><div>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</div><div>20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</div><div>21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</div><div>22. <input type="checkbox"/> Certificate of Mailing by Express Mail</div><div>23. <input type="checkbox"/> Other items or information: Submission of Missing Requirements Under 37 CFR 1.495 Request for Refund</div></div></div>					

RECEIVED
SEP 13 2002
GROUP 3600

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492 (a)(1) - (5)) : 10/089,088	INTERNATIONAL APPLICATION NO. PCT/EP00/10518	ATTORNEY'S DOCKET NUMBER 221414US2PCT
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24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :				CALCULATIONS PTO USE ONLY	
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	15 - 20 =	0	x \$18.00	\$0.00	
Independent claims	2 - 3 =	0	x \$84.00	\$0.00	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				\$0.00	
SUBTOTAL =				\$0.00	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 +				\$0.00	
TOTAL NATIONAL FEE =				\$0.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL FEES ENCLOSED =				\$0.00	
				Amount to be: refunded	\$
				charged	\$

a. ☐ A check in the amount of _____ to cover the above fees is enclosed.


b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **15-0030** A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:



22850

[Signature]
SIGNATURE

Marvin L. Spivak
NAME

BEAUMONT
REGISTRATION NUMBER

30,996
REGISTRATION NUMBER

24,913
REGISTRATION NUMBER

April 29, 2002
DATE

Docket No. 221414US2PCT
IN RE APPLICATION OF: Robert ASAM
SERIAL NO: 10/089,088
FILED: April 11, 2002
FOR: POSITIONING SYSTEM FOR RACING CARS

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required
☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
☒ Additional documents filed herewith: PCT Transmittal Letter/Declaration/Request for Refund
Submission of Missing Requirements Under 37 CFR 1.495

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	15	MINUS	20	0	x \$18 =	\$0.00
INDEPENDENT	2	MINUS	3	0	x \$84 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$280 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
		TOTAL				\$0.00

- ☐ A check in the amount of **\$0.00** is attached.
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.



22850

Customer Number 22850
Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/01)

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Marvin J. Spivak

Registration No. 24,913

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